

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

EMPRESS HOLDING LIMITED,

Plaintiff,

-v-

CLEVELAND POTASH LTD.,

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 8/15/08

No. 08 Civ. 7135 (HB)  
EX PARTE ORDER APPOINTING A  
SPECIAL PROCESS SERVER

RICHARD J. SULLIVAN, District Judge:

WHEREAS on August 11, 2008, plaintiff Empress Holding Limited filed a Verified Complaint herein for damages amounting to \$359,511.49, inclusive of interest, costs, and attorneys' fees, and praying for the issuance of an ex parte order for Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and

WHEREAS on August 14, 2008, this Court issued an Ex Parte Order for Process of Maritime Attachment and Garnishment against defendant; and

WHEREAS Plaintiff has made an application for an Order Appointing a Special Process Server pursuant to Rule 4(c) of the Federal Rules of Civil Procedure; and

WHEREAS the Court has reviewed the Affidavit submitted by Kirk M. Lyons, Esq., in support of the application; IT IS HEREBY

ORDERED that any partner, associate, paralegal or agent of Lyons & Flood LLP, including Gotham Process Servers, who is over the age of 18 and not a party in this action, be and is hereby appointed, in addition to the United States Marshal, to serve the Order for Process of Maritime Attachment and Garnishment and Verified Complaint upon any garnishee(s) within

this district upon whom a copy of the Order may be served, and who, based upon information developed subsequent hereto by the plaintiff, may hold assets for or on account of the defendants; and,

IT IS FURTHER ORDERED that service on any garnishee as described above is deemed effective for the length of time and to the extent that the garnishee's written rules or policies so provide.

SO ORDERED.

Dated: August 14, 2008  
New York, New York

  
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RICHARD J. SULLIVAN (PART I)  
UNITED STATES DISTRICT JUDGE